IMT Nuremberg Archives

H – 657

International Court of Justice

H0657-0002

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenem Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании трибунала и только ту часть, которая представлена в качестве доказательства.

H0657 – 0003

I certify that none of the documents included herein have been denied by the tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the tribunal dated 4 April 1946.

Je certifie qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministère Public suivant les régles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige , dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0657 - 0004

 Rejected

Doenitz 33

Extract

from

War Diary of Naval War Command 1945

(KTB Skl Part A, February 1945)

10.2.45 Discussion of situation with Chief Skl, 10,30 o'clock. Most important, very painful incident, is loss of hospital ship "Steuben" with 2500 wounded on board, of whom only a small part could be rescued.
Very likely a Russian success again.

Filed May 11, 1946

Doenitz 34

Top Secret!

Copy No. 907
1 August 1944

Standing order of the F.O.U.No. 121

H o s p i t a l S h i p s.

Hospital ships must not be sunk.
They must be marked as follows:
Military hospital ships with a white coat of paint with a horizontal green stripe, approximately 1,5 m wide.
Hospital ships of charitable societies: the same but with a red stripe.
All hospital ships have to carry the white flag with the red cross besides the national flag.

Recognized hospital ships:
As of 1 August 1944

a) England:

Identification No.	1	"Maine"	6599 Brt.
"	3	"Isle of Jersey"	2100 "
"	4	"Vasna"	4700 "

.....
.....

(The identification numbers are painted white on black ground at the bow and stern.)

b) United States:

.....

c) Netherland :

.....

d) Australia:

.....

e) Canada:

.....

f) New Zealand:

.....

g) Brazil:

.....
(cancelled later)

For the F.O. of the U-boats
the Chief of Operations
signed G o d t.

Filed May 11, 1946

Doenitz 35

Extract

from

War Diary of the Naval War Command 1941

(KTB Skl Part C Vol. VIII 1941)

17-7-41

The notification of the German hospital ships "Stuttgart", "Ruegen" and "Strassburg" was declined by the Soviet Government with the following memorandum:

"After it has been established that the German Government, is systematically violating international agreements, in treasonable manner, it cannot be assumed that the Hague Convention will be respected by the German Government. In consideration of the fact that the Soviet Government has already protested against the shelling of Soviet hospitals by the German Army in violation of elementary rules of the international law, the Soviet Government has every reason to believe that the German Government will not respect the Hague Convention and that hospital ships are used by it for military purposes. Based on all the above mentioned facts, the Soviet Government cannot give her consent that the rules provided for in the Hague Convention are applied to the ships concerned."

The Soviet Government hereby announces that it cannot recognize and respect the German hospital ships as being of such class according to the Hague Convention.

H0657 - 0006

Filed May 11, 1946

Doenitz 36

INTERNATIONAL MILITARY TRIBUNAL

Evidence taken on Commission pursuant to Article 17 paragraph (c) of the London Agreement dated the 8th August 1945 at Altona Prison HAMBURG on the 21st day of November 1945 before Major G.I.D.DRAPER (Irish Guards) of the Department of the Judge Advocate General attached to the British Army of the Rhine Headquarters appointed to act as Commissioner for the above purpose by the Commander-in-Chief of the British Army of the Rhine.

Representing the Prosecution before the International Military Tribunal at NUREMBERG appears: -

a) Captain A.J. SMITHERS, Buffs, (for the British Prosecution Team) detailed by the Commander in Chief, British Army of the Rhine.

b) S/Lt.P. WALDEMANN of the French War Crimes Team (for the French Prosecution Team) detailed by the Commander of th French War Crimes Team attached to the British Army of the Rhine.

Representing KRANZBUEHLER the defending lawyer of the accused Gross Admiral DOENITZ appears Captain J.D.PATTERSON of the Poineer Corps appointed by order of 8 Base Sub Area.

The Interpreter K.H.ARNDT(Fraeulein) of HAMBURG No.2 Lochrsweg is duly sworn to act as interpreter.

The Defending Officer, Capt.PATTERSON wills the witness Kapitaen/Leutnant HEINZ ECK. The witness ECK is duly sworn before the Commission.

Examined in Chief by Capt. PATTERSON:-

Q.1 What is your full name?
A.1 Heinz ECK

Q.2 What was your rank in the former German Navy?
A.2 Kapitaen/Leutnant

Q.3 What is your age
A.3 29

Q.4 What was the number of the U Boat you commanded at the time when the Greek Steamer PELEUS was sunk?
A.4 U 852

Q.5 Were you in command of this U Boat when the PELEUS was sunk?
A.5 Yes

Q.6 Was the Greek Steamer PELEUS torpedoed and sunk by U 85
A.6 Yes

Q.7 What was the date of the sinking of the PELEUS?
A.7 13th March 194

H0657 - 0007

Q.8 On 17 October 1945 were you and 4 other Germans tried at HAMBURG before a War Crimes Court in respect of inter alia the machine gunning of the survivors of the PELEUS?
A.8 Yes.

Q.9 And of the rafts and other floating objects which were supporting survivors of the PELEUS?
A.9 Yes.

Q.10 Were you found guilty by that court?
A.10 Yes.

Q.11 What order have you given after the torpedoing of the Greek Steamer PELEUS in respect of the firing on the ship wrecked of their means of survival?
A.11 I gave the order to fire on wreckage and rafts with machine guns and 2 cms guns.

Q.12 For what reasons and on what considerations have you give these orders.
A.12 When giving the orders I was in the region which was watched by regular air look-out. This was told to me before I left the harbour KIEL and I had seen it myself in perso that there was this air look-out. I was convinced that th air look-out would find the remains of the sunk ship with in a few days. As up to the present moment the enemy did not know anything about my being on the spot I thought it strongly advisable not to betray myself by the wreckage because in such a case I had to reckon with my own destru tion.

Q.13 Have you heard of any incidents or where you yourself present at any incidents where the enemy fired on ship-wrecked people?
A.13 Yes.

Q.14 What were these incidents?
A.14 It was the case "HARTENSTEIN". This boat had taken on boar many survivors and was towing lifeboats with survivors. Though the U-Boat had put up a Red Cross Flag, a British plane arrived and a British Flying Officer who was one of the survivors signalled up to the plane with a lamp giving the details of the situation. In spite of that, the U-Boat was bombed by this same plane, so that the U-Boat was damaged and the survivors had to leave the U-Boat.
I myself was present when my own U-Boat went damaged and lying in shallow water. The rubber boats were fired at by English planes. The rubber boats contained for the most part wounded.

Q.15 When did this last mentioned incident take place.
A.15 on 3rd May 1944.

Q.16 Where did it take place?
A.16 In the Indian Ocean off the coast of Italian Somaliland.

Q.17 Have you ever received any direct orders form DOENITZ to fire at survivors of shipwrecks.
A.17 No.

H0657-0008

Q.18 Have you ever received any direct orders from DOENITZ to destroy lifeboats, floating pieces of wreckage, life buoys or other means of helping survivors of shipwrecks to remai
A.18. No. afloat after an enemy ship has been torpedoed?

Q.19 Have you ever heard of any orders issued by or on authority of DOENITZ to fire at survivors of shipwrecks or at the means of survival?
A.19 Only now when in LONDON I was informed by British authorities that such orders were in existence.

Q.20 Do you consider that the following question has been fully answered by your answers to the last three questions. Have you either directly or indirectly received an order from DOENITZ or heard of any such order to fire at shipwrecked survivors or their means of survival or to destroy them by other means.
A.20 Yes. The question has been sufficiently answered.

Q.21 Apart from receiving any such definite orders or having heard of any such definite order have you been taught by or influenced by Admiral DOENITZ or by an order given by him to fire at survivors of shipwrecks or at the means of their survival or to destroy such survivors in any other w
A.21 No.

Q.22 Did you report to the Commander of the U-Boats with refere ce to the sinking of the PELEUS your actions concerning th the destruction of the survivors or their means of survival
A.22 No. I had no opportunity to report with the necessary particulars.

Q.23 Do you mean by this that you did not report your actions t any superior officers in the U-Boat command.
A.24 Yes.

CROSS EXAMINED by CAPT. SMITHERS

Q.25 I believe you were making your first voyage as a U-Boat Commander when the PELEUS was sunk.
A.25 Yes.

Q.26 When you left KIEL were you satisfied that you understood your orders?
A.26 Yes.

Q.27 What were the orders you had on the subject of neutral shi
A.27 I had very strict orders not to sink any neutral ships.

Q.28 And in the case of Hospital Ships?
A.28 And the same for Hospital Ships.

Q.29 What were you order regarding Captains and Chief Engineers of ships you might sink?
A.29 They should, according to possibilities, be taken on board the U-Boat.

Q.30 Had you any orders about other members of crews other than captains and chief engineers?
A.30 I had received the order not to take them on board the U-Bo

H0657 - 0009

H0657-0010

Q.31 Had you any other orders regarding crews of sunk ships?
A.31 Not to grant them any help and not to give them any supplies because the safety of the U-Boat might be endangered. The order in respect of the two last questions was given in writing and must be available somewhere.

Q.32 Had all U-Boat Commanders the same orders?
A.32 Yes.

Q.33 Have you received this order?(producing Exhibit 'A' attached hereto to the witness).
A.33 That is the order to which I was referring.

Q.34 Did you enter in your log all the actions you took at the time of the sinking of the PELEUS?
A.34 The log was not kept very fully, but I cannot remember whether I entered full particulars into my War Diary.

Q.35 Did you enter in the log or in the War Diary an entry to the effect that you had destroyed the survivors of the PELEUS.
A.35 This question has been answered by my answer to the previous question.

Q.36 You cannot remember whether you entered it or not?
A.36 No, I cannot.

Q.37 Had you any order that any action by you contrary to international agreement should not be entered in your records.
A.37 No.

Q.38 Do you know Korvetten/Kapitan MOEHLE?
A.38 Yes.

Q.39 Would it surprise you to know that he has stated that there was such an order?
A.39 No. I am not surprised as I have in LONDON already heard of this.

Q.40 But you had not yourself received that order?
A.40 No.

Q.41 Did you ever attend a conference of MOEHLE before sailing?
A.41 Yes.

Q.42 Did he then say you must be harsh remembering the enemy took no regard of women and children in bombing attacks on German cities?
A.42 Yes.

Q.43 Have you heard of U.386 a type of Boat that passed a number of Allied Airmen afloat in a rubber boat and did not interfere with them?
A.43 I have only heard about this in LONDON on the occasion of my interrogation.

Q.44 Did you not know before that, that the commander of U-386 was severely reprimanded by the C. in C. U-Boats for not having destroyed them.
A.44 No. I did not hear of it before.

Q.45 Did you take the action you did in respect of the PELEUS as the result of the orders you had received from your superiors
A.45 The question is not clear to me.

H0657-0011

Q.46 Did you at the time of the shooting of the survivors of the PELEUS consider that your action was in accordance with the orders you had received.
A.46 No. At the moment of action I did not think about the question of conformity or non-comformity to orders.

Q.47 Had you intended to report this matter on return to GERMANY?
A.47 Yes.

Q.48 Would you have expected that your action would have been approved by your C. in C?
A.48 As I myself believed to have done right in my actions, I expected of course from my superiors that they would approve.

CROSS EXAMINED by the FRENCH REPRESENTATIVE.

No questions by the French Representative.

Cross examination ends.

RE-EXAMINED by CAPT PATTERSON

Q.49 Have you ever heard of any orders to the effect that survivors of sunken ships have to be destroyed.
A.49 No.

Q.50 Have you ever heard of any such orders to the effect that the means of survival of survivors have to be destroyed?
A.50 No.

RE-EXAMINATION ENDS.

QUESTIONS PUT BY THE COMMISSIONER.

Q.51 Who issued the orders shown as Exhibit 'A'?
A.51 The C. in C of U-Boats.

Q.52 Who was that man?
A.52 Admiral DOENITZ.

Q.53 Was there a copy of that order on your U-Boat when the PELEUS was sunk.
A.53 Yes.

Q.54 When you say that you expected approval of your actions in the PELEUS matter from your superiors, were you bearing in mind the existence of the copy order on your ship (Exhibit 'A').
A.54 No.

Supplementary question put by the French representative.

Q.55 Did you torpedo another ship after the PELEUS on the same expedition?
A.55 Yes.

Q.56 What action did you take in regard to the survivors?
A.56 No action.

No further questions were put.
The witness expresses himself satisfied with the accuracy of the above proceedings on COMMISSION and in proof whereof appens his signature below

(Sgd) Heinz ECK
Kpt/Lt.

Proceedings taken before me
as Commissioner this 21 Nov 1945

(Sgd) G.DRAPER, Maj, JAG.

Extract
from
War Diary U 247 July 1944

5th July 44

2055 surfaced.

Fishing steamer:
direction indicator (rw) 140 degrees 1000 meters
rw 210 degrees 3000 "
rw 80 " 6000 "

Opended fire on nearest.
She stops after 3 minutes. On "Noreen Mary" a T3a finishing shot out of tube III. (Report on firing data) miss, missed fire, unexplained.
Sunk by anti-aircraft shots into ship's side.

2151 Sank over stern. The other steamers in the meantime have run into the "North Minch". Put off on surface.

2213 Progressed under surface depth 60 m.

6th July 44

0127 Incoming Radio-telegram 2326/5/170
"Matschulat":
English steamer reports attack by German submarine west of Cape Wrath.

Criticism of Flag officer U to War diary "U 247" (Matschulat) from 18th May to 28th July 1944

The first action of the commander was carried out under heaviest air and sea observation. .....
Sinking of fishing steamer by AAG in that area proves great spirit of attack and pluck. . . . . .
Success recognized: Fishing steamer "Noreen Mary" sunk by AAG.

Commander of Submarines
For the Chief of Operations section
signed Godt

H0657 - 0012

H0657 - 0013

That the voyage was running normally, until the 28th of the same month of September, when, at almost four ten,(4H10') finding himself on duty in the galley with the sailor JONAS BARBOSA, the witness heard a burst of gunfire, which drew his attention and he saw a luminous ball of fire, passing from starboard to portside, close to the galley of the "Antonico"; he immediately stopped the engines, and swung to port, in order to avoid that the "Antonico" should be hit again by another projectile. There were five more shots, but all missed their mark; The witness immediately realised that the "Antonico" was being attacked by an Axis submarine, due to the ship carrying material to an Allied Air Base; that the ship "An tonico" was completely disarmed, including the crew; that after the first shots which missed their mark, the attack continued, hitting the "Antonico" in several places, and setting her alight in various parts, as the shots were luminous and incendiary; that the Captain of the "Antonico" at the moment of the attack was in bed; that the witness, seeing that the "Antonico" was on fire, gave orders to the sailor in charge of the steering wheel, who was with him, to go to his appointed place, in case of abandon ship; that the witness also went to his lifeboat No.2 and found all the crew at their posts; the witness saw the Captain of the "Antonico" on deck, giving orders and directing abandon ship, when he spoke rapidly to the witness saying " I never thought that this would happen"; the witness continued on his way and gave orders to swing out lifeboat No.2 for himself and his crew of 20, the word crew is used, but already the crew had diminished, having fallen as

H0657-0014

victims to the shots and splinters of the grenades of the aggressors; that the witness saw the dead on the deck of the "Antonico" as he and his crew tried to swing out their lifeboat; that the attack was fulminant, lasting almost 20 minutes; that the witness already in the lifeboat tried to get away from the side of the "Antonico" in order to avoid being dragged down by the same "Antonico and also because she was the aggressors target; that the night was dark, and it was thus difficult to see the submarine, but that the fire aboard the "Antonico" lit up the locality in which she was submerging, facilitating the enemy to see the two lifeboats trying to get away; that the enemy ruthlessly machine gunned the defenceless sailors in No.2 lifeboat, in which the witness found himself, and killed the Second Pilot ARNOLDO DE ANDRADE DE LIMA, and wounded three of the crew; that the witness gave orders to his company to throw themselves overboard to save themselves from the bullets; in so doing, they were protected and out of sight behind the lifeboat, which was already filled with water; even so the lifeboat continued to be attacked. At that time the witness and his companions were about 20 metres in distance from the submarine , and on this occasion the witness saw her for the first time; that she was in the dark, and thus it was impossible for him to identify her ; that at that time the witness was completely

H0657 - 0015

ignorant of the fate of the lifeboat commanded by the Captain of the "Antonico" ; that the submarine immediately withdrew from the locality and submerged, after the "Antonico" in flames, disappeared ; that from the start of the attack until the end of same, and the disappearance of the "Antonico" the time passed was more or less twenty (20) minutes ; that ie was not yet daylight, and the locality in darkness.

Filed May 13. 1944

Doenitz 37

Extract

from

Documents of German Politics Volume 8, Part I.

(page 17, including footnotes p.18, 19 and 20)

Report of Captain D a u of the German Motor-tanker "Altmark" concerning English surprise attack in the Joessingfjord on 20 February 1940.

.....

The boarding crews swarmed immediately over the whole ship and at the point of the bayonet and at pistol point drove the crew together in groups. At the same time they opened a savage fire against other members of the "Altmark" -crew especially on those, who tried to swing out the aft-port life boat. From the destroyer passing by meanwhile recognized to be the "Cossack", rifles were fired as well. A number of seamen of the "Altmark" tried to escape captivity by jumping into the sea or on to the ice in order to try to reach the land by swimming, or crawling across the ice. Shot were fired on those in the water as well as on those crawlin across the ice and even on such, as had reached the land. This wild firing caused various casualties.

.....

Six men of the Altmark-crew were immediately killed (4). One more died from wounds received, in the morning of 19 Feb (5). The lives of another two are still in peril. Furthermore we are deploring three gravely and five lightly wounded where as one man is missing (6) and, as must be surmised according to several observations, was hit by an English bulle while in the water, and perished.

.....signed Dau, Captain and in Command.

Footnotes:

.....

(4) The Stewards Otto Stender and Fritz Brember, medical apprentice, sailor Fritz Schuermann. They were buried on 19 Feb 1940 at the village churchyard in Sogndal.

(7) On the occasion of this cowardly surprise attack connected with a murder and contrary to international laws the First Lord of the British Admiralty Winston Churchi sent Captain Vian, Commanding the "Cossack" the following Telegram (Voelkischer Beobachter of 19 February 1940):

H0657-0016

H0657-0017

" I congratulate you on the success you have achieved in one single day. By your double success you have freed the British from captivity and prevented the Germans from sinking the ship."

In his statement in the House of Commons on 20 Feb. 1940 (Frish ibid. page 49 etc.) Prime Minister Chamberlain spoke of"a wonderfully executed operation" and a "very courageous action".

Furthermore he said: " I am sure..... that the members of parliament also have the desire to heartily congratulate the Royal Navy with regards to this eminent additional feat to their actions."

The King of England on 20 Feb.1940 even decorated Philly Vian Captain of the destroyer "Cossack" with a very high war decoration the DSO (Verdienstkreuz) and at the beginning of July he was promoted to the rank of Rear-Admiral. Also other officers and various members of the crew were decorated.

H0657-0018

Rejected

Doenitz 38

Extract

from

War-diary of the Naval-War-Command 1941

(KTB, Part C, folder VIII, 1941)

4 June 1941 The High command of the Army-WR- was notified about the murder of German soldiers by an English submarine in May of this year. According to the statements under oath of captain and crew of the Greek motor sail boat "Osia Paraskevi" the vessels was stopped on it's way from Lemnos to Cavalla on 12 May 1941 at noon by an English submarine. In addition to the Greek crew there were on board: a German officer a non-commissioned officer and 2 men. Where as the Greek crew was ordered into the lifeboat , the German soldiers menaced with a machine-gun were forced below the deck. By gun-fire, opened then at the sail boat at a distance of 10 m by the submarine, the boat caught fire and sank. The German soldiers who jumped into the water with uniforms partly on fire were shot at, while they were swimming till they were hit and sunk. The Greek crew was a witness to this procedure from a short distance.

.....

Filed May 15, 1946

War Diary Naval-War-Command

Section C Vol. VIII

1942

Pages 488 and 489

---

14 Sept In the OKW-situation of 5 September 1942 it had been ascertained, that at the sinkihg of the mine-boat "Ulm", British destroyers had fired with machine-arms upon soldiers in life boats and those boarding life boats. Because such incidents had occurred frequently already, the Fuehrer gave orders to the Naval War-Command, to issue an order according to, which, our warships would use reprisals in similar cases At the same time a list was to be compiled of cases known so far, in which British warships had fired upon life-boats or ship-wrecked persons swimming about. After exact details had been ascertained by the S K l, it was found, that the case of the "Ulm" did not warrant the issuing of reprisal orders. It could not be proved beyond a doubt, that the fire had been aimed at the crew boarding the life-boats. The enemy-fire evidently was aimed at the ship itself. According to orders, a list of similar cases formerly reported was compiled and sent to OKW- W.F.St. There are 12 cases involved. (Compare Annex 46) It is the opinion of the Naval-War-Command that before issuing reprisal-orders, one should take into consideration whether such measures, if applied by the enemy against us, would not in the end be more harmful to us than to the enemy Even now our ships have only in a few cases the possi-bility to save ship-wrecked enemy-crews by towing the

H0657 - 0019

H0657 - 0020

life-boats etc, whereas the crews of sinking German U-boats and merchant-vessels so far as a rule have been picked up by the enemy. To turn matters in our favor, we would have to order not only to abandon but also to fight against ship-wrecked enemy crews as a measure of reprisal. It is significant in this respect, that so far it could not be proved, that in the cases on record, where the enemy used arms against ship-wrecked Germans, such action was ordered or covered by an order of an official British office. We would have to count on it, that knowledge of such a German order would be used by the enemy propaganda in such a manner, that its consequences could not easily be foreseen.

H0657 - 0021

Doenitz 39

War Diary Direction Sea Warfare
Section C Vol VIII

1942
Annex 46

Top Secret!

Berlin, 14 September 1942

Copy of Communications of
1.Skl. I a 22792/42 g. Kds.

II.) The following accounts deal with incidents which, as directed, have already been reported, and in making use of them, it must also be considered, that

a) some of these incidents occurred before the battle had been closed;

b) shipwrecked persons swimming about in the water easily mistake shots which missed their real target, as directed against them.

c) so far no evidence whatever has been found that a written or oral order for the use of arms against shipwrecked persons has been issued.

1.) Destroyer "Anton Schmidt" on 10 April 1940 burst asunder amidships 800 m off shore due to an English torpedo. When the crew attempted to swim ashore at a water temperature of - 2 degrees C., they were fired upon intensively.

2.) Destroyer "Georg Thiele" was beached near Narvik on 13 April 1940. Several members of the crew were killed in the water by shots in the head, 6 or 7 more were killed by direct hits from artillery fire while climbing up the banks.

3. The crew of the destroyer "Erich Giese", disabled by enemy fire on 13 April 1940 in Narvik, had to swim a distance of about 1½ km in order to reach safety on land. At a distance of 800 m they were fired upon by MGs and 4 cm rapid fire guns, with the result of a considerable number of dead and wounded.

4. A two masted schooner, with a crew of 80 aboard under the command of Lieutenant (j.g.) Henglein was on its way to Crete on 22 May 1941 when four English warships opened fire from cannons and machine guns at a distance of about 150-200 m, although the schooner, realizing the impossibility of defending itself, had hoisted the white flag.

H0657 - 0022

At least 20 men where wounded on board. When the remainder sought safety in the water , the English continued firing. All but 22 of the swimming crew were killed. Since they all wore life-jackets and the sea was as smooth as glass, none would have needed to drown, had it not been for the firing.

5.) During the night of 22 to 23 May 1941 six English units attacked the motor-yacht S 3 on its way from Piräus to Crete and opened fire. The crew took to a pneumatic boat, which was caught by the beam of a searchlight and further shot at by artillery and M Gs.

6.) On 22 May 1941 on its way to Crete the transport-boat No. 5 was fired on, whereupon 40 men jumped overboard. They were further fired upon, so that only 30 could be rescued by pneumatic boats.

7.) The same day another transport boat was shot to pieces, so that it had to be abandoned. On that occasion also the British ships, from a distance of 200 - 300m fired upon the crew swimming in the water, whereby several men were killed.

8.) & 9.) Similar reports were received concerning the motorships "S 10" and "S 14" of 21 and 23 May 1941

10.) In an attack on a convoy off Crete, the night of 20 May 1941, shipwrecked were fired upon, under the glare of searchlights, and sank away under the fire, without any attempts on part of the English ships to rescue them.

11.) During the night of 21 May 1941, after the remaining crews had abandoned their disabled motorships S 12 and S 107, they were fired upon at very close range from automatic cannons and machine guns. Hereby also a portion of those swimming about were killed.

H0657-0023

12.) In the case of the powered sailboat "Osia Paraskivi" on 12 May 1941 a British U-boat commander permitted the Greeks on board to get into the life-boat, and then fired upon the German officer and 3 other German soldiers after they had gone overboard, from close range until all 4 had been hit and drowned.

Concerning the Narvik cases it should be noted, that the British will try to justify themselves by referring to the custom of war which permits firing upon ship-wrecked crews, if it can be taken for certain, that, because of the proximity of a shore occupied by the enemy, such ship-wrecked crews would soon return to the ranks of the enemy forces, if they had not been taken under fire.

H0657 - 0024

Rejected

Doenitz 40

Extract

from

"Voelkischer Beobachter" South German edition A, of Saturday/ Sunday, 1 and 2 May 1943

dnb. Geneva, 30 April

.....

For the first time the U.S. Navy not only confirms but even boasts of the fact, that North American War-ships and aircraft systematically killed helpless shipwrecked, drifting or swimming on the open ocean in life boats and rafts. The well known U.S.A. magazines "News Week" in the edition of 15 March and "Life" in its edition of 22 March in an official report describe this conduct of war, violating international law and all principles of humane decency in the following manner:

The battle ended with a regular massacre. On the morning of the 4th of March many Japanese survivors were swimming in the ocean north of New-Guinea in life-boats, skiffs and rafts. While they drifted on the water, allied aircraft ruthlessly fired on them with their armament. When an American General heard that several hundred more Japanese had been sighted in life-boats, he declared shortly: "Let another squadron of "Beaufighters" take off, so we can kill off a few more of these Japs."

General Mac Arthur's army communiqué closed with the words: "As far as could be ascertained, hardly one survivor remained." (News Week)

"The cleanup began on 4 March, as P 17 - and P 38 - fighter planes took off, to shoot at life-boats." (Life)

Filed May 13, 1946

Doenitz 41

E x t r a c t

from

A f f i d a v i t made by Lieutenant Commander, (Korvetten Kapitaen) Hans W i t t, ret. of 7 Feb. 1946

In June 1943, after returning from operation, I, as commander of a front line U boat, together with Naval Lieutenant S i e g m a n n, at that time commander of a Mediterranean U boat, was ordered to report to Grand Admiral Doenitz. The Admiral was at that time commander in chief of the navy and at the same time F.O. of submarines. After having concluded our report I asked the Admiral another question.

At that time stories circulated about attacks of British fliers on helpless shipwrecked German U boat crews and fliers. The feeling about it was high and bitter among all ranks. The idea was ventilated that, as a reprisal and to prevent such incidents in future, helpless shipwrecked people of sunken enemy ships, which we, so far, had always treated with consideration and chivalry, should be attacked.

As these ideas touched on the fundamental rules of warfare, natural so far to all soldiers - humanity, fairness and chivalry -, I used the opportunity to report to the admiral on this state of mind and opinion of the soldiers and to ask for his opinion. The commander in chief

H0657 - 0025

H0657 - 0026

declined the ideas sharply of attacking the enemy after having made him defenceless in combat, they were incompatible with our way of warfare. Even if the enemy acted in such an inhumane way we must not retaliate in a similar way. A single such case would do more damage to the German conduct of war than would be its deterring effect.

These statements were short and to the point and left no doubt. I cannot recall the accurate words, used by the Grand Admiral, I assure, however, that their meaning unmistakably was as I have stated it here. I have, at that time, informed my soldiers of this attitude of the Grand Admiral.

H0657 - 0027

Rejected

Goering Exhibit No.7

Extract from the White Book of the Foreign Office 1943,No.8.

Documents regarding the sole guilt of England

for the bombing of the civilian population.

Berlin 1943

.....

No. 101

Article by the aeronautical reporter of the"Daily Mail" Colin Bednall describing an interview with the Commandin General of the 8th Bomber Command of the AAF, Brigadier General Ira C.Eaker, 22 Sept. 1942

(Extract)

The Commanding officer of the American Bombing squadrons, Brigadier General Ira C.Eaker during a personal interview in his headquarters told me...Important new facts about the plans of the Airforce of the United States in Europe and the methods, by which it hopes, in cooperation with the R.A. to destroy the war machinery Hitler's

The full title of General Eaker is: Commanding General of the 8th Bomber Command of the AAF. He spoke frankly and told me at the beginning the following encouraging news:

.....

There is nothing that can be destroyed by artillery that could not also be destroyed by bombs. The only objects which cannot be reached by Aircraft are subterranean factories and submarine pens. But they too can be handled, because everything that is built underground has to come to the daylight to be shipped.

H0657 - 0028

Goering Exhibit No.7

The German workers need houses to live in and supply installations to keep them alive. Those are extremely sensitive to air attacks.

Nobody likes to work underground when he knows that perhaps during his absence his home will be destroyed and his family annihilated.

.....

General Eaker was very much impressed by the "carpet" bombing as carried out by the bomber commands of the R.A.F. He believes that this has a much stronger effect on the morale of the civilian population than the pin point bombing of individual objects in daylight as it is being done so far by the Flying Fortresses.

The people understand very quickly that the bombers, when they come in daylight restrict their attack on exactly defined targets. It is just the uncertainty of the bombing of entire districts at night which strain enormously the nervous resistance of a civilian population.

"Both types of bombing should be continued" explained the general.

.....

H0657 - 0029

C 21 - GB 194

Extract

from

War-diary of Naval-War-Command Part A, 1940

(KTB Skl, Part A, January 1940)

24 January 1940 .....

In view of the urgent need of shipping space the French Press talks of measures being instituted against the scuttling of German merchant-ships. By scuttling the right of being rescued is forfeited. Captains are subject to court-martial.

Daventry Radio reports, that British war-ships had received directives, to prevent further scuttling of German ships.

H0657-0030

Filed May 9, 1946

Doenitz 42

EXTRACT
from
War-Diary of Naval-War-Command 1943
(KTB Skl Part C 1943 vol. VIII.)

Page 154 4 April 1943

The German Foreign Office pointed to an assertion of the British Transport Minister according to which during sinkings of Merchant vessels an average of 87% of the crew were saved. To this statement the Naval-War-Command (Skl) made a comprehensive reply to the Foreign Office. (Wording of stand point in appendix 10). It is to the interest of the German conduct of war, that crews of sunken merchant vessels cannot be committed again. However, the Naval-War-Command considers it incorrect, to take special measures to prevent the rescue of crews of enemy-ships. The U-boats already received instructions, to abstain from rescue activities, since it has repeatedly been shown, that through such action they endangered themselves. Moreover, it is hoped to achieve a strengthening of the destructive power of weapons, so that enemy ships can ... be destroyed as completely as possible. (1 Skl I i a 9315/43 Gkdos).

H0657-0031

Doenitz 42

Extract

from

War-diary of Naval-War-Command 1943
(KTB Skl Part C vol. VIII 1943)

Appendix 10

Copy

Letter of 4 April 1943 to Foreign Office, c/o Ambassador Ritter, Berlin

---

Concerning crews of sunk merchant ships.

.....

II. It is no doubt, desirable that crews of merchant ships cannot be committed again, since hereby difficulties in the raising of necessary replacement of seamen are increased. Thus U-boats are directed to abstain from rescue- activities. This instruction could doubtlessly be given, after it had repeatedly shown itself, that U-boats endangered their own safety through such rescue-activities. Beyond this it is hoped to achieve such a strengthening of the destructive power of weapons that enemy ships can be completely destroyed, with one blow, thus lessening possibilities for crews to be rescued. However, the Naval-War-Command considers it incorrect, to take other special measures to prevent rescue, because of the following reasons:

1.) The percentage of sunk merchant vessels of convoys in 1941 amounted to 40 %, in the entire year of 1942 to barely 30 %, in the last quarter of 1942 to 57 %, in January 1943 to about 65%, in February to 70 % and in March to 80%.

.....

2.) Even if a greater number of seamen were thus eliminated, an essential change in the situation would not be accomplished.

.....

H0657 - 0032

For the greater part of seamen an extensive training program is unnecessary. However, officers and most of all the ships captains and Chief engineers have of course to undergo such training. U-boats have received directives therefore, to take them aboard whenever possible, in order to deprive enemy shippin of such valueable men.

.....

3,) A directive to take action against lifeboats of sunken vessels and crew -members drifting in the sea would, for phychological reasons, not be tolerable for U-boat crews, since that would be contrary to the innermost feelings of all seamen. To issue such a directive could only be considered, if a decisive military success could be achieved by it.

4.) Taking action against crews of sunken ships by U-boa which could certainly soon become known, would entail severest counter-measures by the enemy, above all for those already imprisoned or for the U-boat crews to be captured in the future. It cannot be justified to take measures, which achieve so little effe and bear the severest consequences for our U-boat crews.

.....

H0657-0033

Rejected

Doenitz 43

Excerpt

from

War Diary of Naval War Command 1941

(KTB Skl Part A October 1941)

4 October 1941 According to a message of the convoying U-129 from Qu BE 77 (about 600 nautical miles west of Cape Portugal), U-boat supply ship "Kota Pinang" caught by Ships A/C of a cruiser of the Belfast class and has been sunk by artillery fire at long range. Complete crew has been picked up by U-129.

Excerpt

from

War Diary of Naval War Command 1943.

(KTB Skl Part C 1943, Vol. VIII)

3 January 1943 The German blockade runner "Rakotis" was sunk on 1 January on his way home by the English cruiser "Scylla" in the area northwes of Cape Villano. This has been reported to th Naval Attache in Madrid with instructions to notify the Spanish Navy of this occurrence and to suggest a rescue expedition. Whereupon the Spanish Navy sent a destroyer for a searc ing expedition, which, however, remained without success. A Spanish fishing steamer saved a great number of shipwrecked.

Excerpt

from

War Diary of the Commander in Chief of U-boats 1944.

(KTB BdU January 1944)

4 January 1944 U-618 reports that she has saved 4 noncommissioned officers and 17 men from Z-27 According to the information of the survivors a large part of the crew was taken over by an Irish steamer. There is no certainty abou the fate of the officers. The S.O. Flotilla and the commander were on board when boat went down. English cruiser shot from the gun-turrets upon drifting boats.

H0657 – 0034

Keine Anlage 13

Part 4

Doenitz 67

Excerpt

from

Defence of Merchant Shipping Handbook 1938

D.M.S. 3 III

Aiding ships, attacked

by U-boats.

No British ocean going merchant ship should aid a ship, attacked by U-boats. Small coastal ships, fishing steamers and other small ships with little draught should give all possible aid.

Filed May 13, 1946

Questionnaire for Vice Admiral K r e i s c h.

I, Vice Admiral Kreisch Leo Karl A/729575 hereby make oath and testify as follows with regard to the questions put before me.

1 What is your rank and name?
Vice Admiral Karl Leo Kreisch

2 In this war were you the commander of the Submarines based on Italy?
Yes

3 From when to when?
From Jan 1942 to the end of Jan 1944

4 The Officer in charge of Submarines, Adm Doenitz, was he your superior officer?
Yes, my superior officer.

5 Did you ever receive an order from the CO of the submarines (BdU) or do you know of an order, in which instructions had been given to destroy the life saving devices of sunken steamers or to kill shipwrecked people?
No.

6 Did you ever receive an order from the CO of submarines (BdU) or do you know of an order in which the above instructions may not have been directly contained which, however according to its wording was interpreted to the effect that life saving devices had to be destroyed and shipwrecked people be killed?
No, Mar 1943, in a purely unofficial conversation with Gross Admiral Doenitz, he mentioned that the rescue of the crew of shot down airplanes was of special value.

7 Is it known to you that in September 1942, German submarines saved shipwrecked people after torpedoing the British steamer "Laconia" and whilst doing so were bombed by an Allied plane?
No, the incident is not known to me.

8 Do you know, whether this incident was the reason for issuing an order by the CO of the submarines (BdU) in which assistance, at the risk of endangering your own boat was prohibited and declared irreconcilable with the laws of sea-warfare?

H0657 – 0035

H0657 – 0036

An Order as such and as result of such an incident is unknown to me. It was the rule that rescue work must not hinder either the operational object of the boat or endanger crew and boat.

9 Do you remember the attached order of 17 Sept 42?
No, I was on leave from 16 Sept to the beginning of October.

10 Have you, or according to your knowledge, has any member of your staff or one of your commanders understood or interpreted this order to mean that life saving devices should be destroyed and shipwrecked people be killed?
No.

11 Is it known to you whether the CO of the submarines (BdU) or an officer of his staff has ever disseminated orally or written such an interpretation of an order from the CO of the Submarines (BdU)
No.

12 Has it come to your attention during the war, whether any German Submarine Commander after sinking a vessel actually destroyed the life saving devices and killed shipwrecked people?
No.

13 While you were in charge as Commander of the submarines (FdU) what was the general principle regarding the measure for aiding shipwrecked people?
To my knowledge I did not issue any written order. In my conferences with U-Boat Commanders I pointed out that rescue operations must not hinder the U-Boat's task or its safety. Otherwise the rescue of shipwrecked people is important and beyond question, especially that of airplane crews (see para 6)

signed: Karl Leo Kreisch

This statement was sworn before me by Adm Leo Karl Kreisch A/729575 on the 26 Mar 46, at 2226 PW Camp, Belgium

sgd. J.P. Nettler, KRRC Capt.

Witness: sgd. P. Joseph Sgt Int Corps

The above is a correct translation made by me in the course of duty.

sgd. J.P. Nettler Capt. KRRC

Filed May 10, 1946

Doenitz 53

P.O.W.-Camp 18, 18 January 1946

To: Camp Commander of P.O.W.-Camp 18,
Featherstone Park.

The commanders of U-boats assigned to duty on the front who are now in this camp have taken the liberty of making the following declaration and have asked to send this declaration to the International Tribunal at Nuernberg:

We have been informed by press and radio that Grand Admiral Doenitz is charged with having given the order to annihilate the crews of torpedoed ships and not to take any prisoners. The undersigned declare under oath that such an order, neither written nor orally, was never given to them by Grand Admiral Doenitz. There was in existence the order that for reasons of safety for your own boat, as result of the increased danger of all kinds of counterattacks, it was not allowed to surface after a torpedo attack. The reason for this order was that, if the boat surfaced for rescue action, as this had been done during the first years of war, its own destruction had to be reckoned with according to experience. This order could not be misunderstood. It was never considered as an invitation to annihilate shipwrecked men.

The undersigned declare that the German Navy was educated by their leaders to respect the written and unwritten law of the sea. We have always seen it as fitting our honor to keep these laws and to conduct the combat at sea in a chivalrous manner.

(This is followed by 67 signatures of German U-boat commanders)

H0657 - 0037

H0657 - 0038

EXTRACT

from

Translation of Document 1760 PS - GB

GEORGE S. MESSERSMITH, after being duly sworn, made the following statements:

During the period of 1930 until late in spring of 1934 I was the Consul General of the United States of America in Berlin. During this period and especially during the year 1933 until my departure to Austria late in spring of 1934 my work brought me in close contact with officials of the German government.

.....

Among the people whom I saw frequently, and to whom I refer in my statements, were the following:

.....

16. Admiral Karl Doenitz: Admiral Doenitz was not always mentally balanced. He was not a Nationalsocialist when that party seized power. In spite of that he became one of the first high officers of army and navy and was in complete harmony with the ideologies and aims of the Nazis.

.....

I left Vienna on 11 July 1937 in order to take over the post of Undersecretary in the State Department at Washington.

H0657 - 0039

Tribunal May 9, 1946

Doenitz 45

Excerpt

from

a Letter of Fleet Judge Kranzbuehler to the Secretary General of I.M.T. dated 30 November 1945.

Re: Deposition of the witness George S. Messersmith.

Document No. 1760-PS

.....

Upon the ruling of the Presiding Judge of the Tribunal dated 28 November, I request that the witness Messersmith is examined with regard to the above mentioned deposition and the following questions are laid before him:

1.) When did the witness see the defendant Doenitz?

2.) Where has he seen him?

3.) At what occasion did he see him?

4.) In what capacity was Doenitz there?

5.) Did the witness talk with Doenitz?

6.) What subjects did he discuss with him?

7.) Did the judgment about Doenitz depend upon personal knowledge?

8.) If not, upon what basis rests the stated and sworn opinion of the witness about Doenitz?

H0657-0040

United Mexican States)
Mexico, Federal District) SS,
Embassy of the United)
States of America)

MEXICO CITY, D.F.)
) SS,
MEXICO)

GEORGE S. MESSERSMITH, being first duly sworn, deposes and says as follows in answer to the interrogatories addressed to him by counsel for Admiral Karl Dönitz.

During my residence in Berlin, and during my later frequent visits there as stated in my prior affidavits, I saw Admiral Karl Dönitz and spoke to him on several occasions. However, I kept no diary and I am unable to state with particularity when and where the meetings occurred, the capacity in which Admiral Dönitz there appeared or the topic or topics of our conversation. My judgment on Dönitz expressed in my prior affidavit is based on personal knowledge, and on the general knowledge which I obtained from the many various sources described in my prior affidavits.

G. Messersmith

Subscribed and sworn to before

me, William L. Brewster,

Vice Consul of the United States
of America, duly commissioned
and qualified,

in Mexico, D.F., Mexico, this

12 day of March, 1946

William L. Brewster
William L. Brewster
Vice Consul of the United States
of America

Service Nr. 2642
Tariff Nr. 38
No fee prescribed,

Document D. 443 - GB 185

Enclosure z.K. ar. Gr. West O.Q. Gkdos. 545/

OKM./AHA/WF. Top Secret!

Br. No. 156/44 Chiefs. Senior officers only! Execution only through officers!

Grand Admiral Doenitz

Closing speech at the meeting of commanders of the Navy in Weimar, Friday, 17 December 1943.

.....

I am an ardent adherent of the idea of ideological education. And what is it after all? For the soldier performance of duty is a foregone conclusion. But the whole weight, all the gravity enter into performance of duty only if the heart and full inner conviction are part of it. Then, performance of duty in effect becomes something entirely different from submissive and devoted fulfilment of a task according to the letter only. It is, therefore, necessary that the soldier employs all his mental, his spiritual powers and his willpower for the performance of duty. To do this he needs his conviction, his ideology. Therefore, it is necessary that we educate the soldier uniformly, comprehensively, so that he is ideologically oriented towards our Germany. Any dualism, any discord in this connection or any diversion or inability to deal with it is a weakness under all circumstances. He who functions harmoniously is superior to the other one. Indeed, the entire weight, the entire gravity of his conviction goes into the matter. Of course, it is nonsense to say, for instance, that the soldier or the officer should be non-political. The soldier personifies the state he lives in; he is the representative, the outspoken exponent of this state. Consequently, he has to stand behind this state with all his might.

We have to follow this road out of our deepest conviction. The Russian is doing it. In this struggle we can only hold our own if we are in it with holy zeal, with complete fanaticism.....

.....

.....That I cannot do alone, but it can only be done

H0657 – 0041

H0657 - 0042

with the man who is in charge of the production of Europe: with Minister Speer. I have the ambition to have as many war vessels as possible for the navy in order to be able to fight and to conquer. Who builds them does not matter to me.

And since we are now in the fifth war year and production in the fifth war year is in one hand, he who is responsible for over-all production must also take care of the building of battle ships. Of course, the result is that we have reorganized as regards our shipyards. We have transferred them to private business. This might have been painful to some of the gentlemen present here. We have entrusted production to the responsible Minister Speer who now bears the responsibility before the people and the Fuehrer in order that the new vessels will be ready for us at the set date.

.....

Fed. notes requested May 13

E x c e r p t

from

Reich Gazette/ 1935, Part I, Pages 609 and 614

Military Law

of 21 May 1935

The Reich Government has passed the following law which is herewith promulgated:

Section I

G e n e r a l

Par. 1

(1) Military service is honour service on the German people

(2) Every German male is subject to draft

(3) During the war every German man and every German woman is obligated to render service for the fatherland beyond being subject to the draft.

Par. 2

The Wehrmacht (Armed Forces) is the bearer of arms and the military school of education for the German people. It consists of

the Army,

the Navy,

the Airforce.

Par. 3

(1) The Commander in Chief of the Armed Forces is the Fuehrer and Reich Chancellor.

(2) Subordinated to him the Reich Minister of War as commander in chief of the Armed Forces has authority of command over the Wehrmacht.

H0657 - 0043

H0657-0044

Section V

Final regulations.

Par. 37

(1) The Fuehrer and Reich Chancellor has the authority to issue decrees in the military sphere. He issues decrees and ordinances necessary for the execution of the law. The decrees may contain threats of punishment.

(2) The Fuehrer and Reich Chancellor may delegate authority to the Reich Minister of War and with regard to questions of recruiting and replacement administration and military supervision to the Reich Minister of the Interior, according to section 1.

(3) The decrees may also be announced in the official gazette of the Armed Forces in addition to the gazettes determined by the law concerning publication of Reich decrees (Reichsverordnungen) of 13 October 1923 (RGBl. Bl. I, P. 959).

Par. 38

(1) This law shall be effective on the day of its promulgation.

(2) On the same day the military law of 23 March 1921 (Reichsges. P. p. 329) as well as the amendments of 18 June 1931 and of 20 July 1933 (RGBl. 1921, p. 787, 1933, pp. 526, 565) become invalid.

Berlin, 21 May 1935

The Fuehrer and Reich Chancellor

Adolf Hitler

The Minister of National Defence
von Blomberg
The Reich Minister of the Interior
Frick.

H0657 - 0045

Cited May 13

1915 PS

Reich Gazette: 1938, Part I, Page 111

Decree concerning the command of the Armed Forces,
of 4 February 1938

From now on I, personally and directly, shall exercise authority of command over the entire Armed Forces. The former General Department of the Armed Forces in the Reich Ministry of War with its tasks, as "High Command of the Armed Forces and as my military staff, is transferred directly under my command. At the head of the staff of the High Command of the Armed Forces there shall stand the former chief of the General Department of the Armed Forces as "Chief of the High Command of the Armed Forces". He shall be equal in rank to the Reich Ministers.

The High Command of the Armed Forces simultaneously shal conduct the business of the Reich Ministry of War, the Chief of the High Command of the Armed Forces shall by my orders, exercise the powers formerly exercised by the Reich Minister of War. In peacetime the uniform preparation of the defence of the Reich in all fields shall be the duty of the High Command of the Armed Forces, according to my instructions.

Berlin, 4 February 1938

The Fuehrer and Reich Chancellor
Adolf Hitler

The Reich Minister and Chief of the Reich Chancellery
Dr. Lammers

The Chief of the High Command of the Armed Forces
Keitel

H0657 - 0046

Excerpt from Document C 178-US 544 -

Naval War Command

New! B-No. 1 SKL. I i 466 / 43 gKdos. Chiefs.

Berlin, 11 Feb. 43

Instigated through: 3. SKl 1219 g of 1 Feb. 43

I. About

I a
signed initials

Note:
suggest inform Chief 3/Skl I a about orders. The subordinated commanders are informed.

I a
signed initials

1./Skl to be submitted

signed initials

Re: treatment of saboteurs.

.....

H0657 - 0047

Doc.No. 498-PS

Top Secret!

Fuehrers Headquarters, 18 Oct.42

The Fuehrer

No. 003830/42 g.Kdos.OKW/WFST.

12 copies
12th copy

1.) For a long time now, the enemy in his conduct of war resorts to methods, which stand outside of the international provisions of the Geneva Convention. Especiall ruthless and treacherous is the conduct of members of so-called Commandos, who are, as has been ascertained recruited in part even from criminals, released in enemy country. Captured documents reveal, that they are ordered not only to handcuff prisoners, but also to kill defenseless prisoners without hesitation, the moment they believed that in the further acquiring of their objectives the prisoner would become a ballast or a handicap to them . Finally orders were found, which principally demanded killing of prisoners.

2.) For this reason, in a supplementary note to the Wehrmacht communique of 7 October 1942 it was announced , that Germany would in the future take similar measures where these British Sabotage-troops and their accomplices were concerned, i.e. that, wherever in battle the would be encountered, they would be ruthlessly annihilated by German troops.

3.) I therefore decree:

From now on, all enemy troops encountered by German troops during so-called commando missions in Europe or in Africa, whether they be troops in military uniform or demolition troops, in combat or in flight, are to be annihilated to the last man. It makes no differen ce whether, in order to achieve their mission they have been landed by ships, aircraft or parachute. Even shoul these subjects, while apprehended, apparently arrange to let themselves be captured, any pardon is to be principally denied them. An extensive report is to be made to the OKW about each individual case for publication in the Wehrmacht communique.

H0657 - 0048

498-PS

4.) Should individual members of such commandos as agents, saboteurs etc. come into the hands of the Wehrmacht through other channels - for instance through police in countries occupied by us - they are to be transferred to the SD without delay. All custody under military guard, such as for instance in prisoner of war camps, and even if intended only for short duration is strictly prohibited.

5.) These regulations do not concern treatment of such enemy soldiers as are captured or surrender during normal combat activities (such as large scale attacks major landing operations and large scale air landings in open combat. These regulations likewise do not concern such enemy soldiers as are captured after combat at sea or enemy soldiers, who, after combat in the air try to save their lifes by parachuting to earth.

6.) For non-compliance with these regulations I will hold responsible by court-martial all such commanders and officers, who have neglected their duty by either not informing their troops of this order or who in carrying out this order act contrary to these instructions.

distributed:

High Command of the Army	1st	copy
Naval-War-Command	2nd	"
Command of Rural Guards	3rd	"
Army district Norway	4th	"
Army district South-East	5th	"
Chief West	6th	"
Army High Command 20	7th	"
Chief South	8th	"
Panzer Army Africa	9th	"
Reichsfuehrer SS and Chief of German Police)	10th	"
Wehrmacht High Command	11th	"
" Operation Staff)	12th	"

H0657 – 0049

Extract from Document C 171 - GB 210 -

Top Secret!

N a v a l - W a r - C o m m a n d Copy No. 3
B.No.1 Skl.Ib 2096/44 gK. Chiefs. 12 July 1944

S.O. only!
Only through officers!

N o t e s

on Conference of Naval Chief at Fuehrers-Headquarters (Berghof) 29 June - 1 July 1944

Participants: Admiral z.b.V. Wagner
Adjutant, Lt. Commander Hansen-Nootbaar

1.) 29 June 1300 hours: Participation in discussion of situation with the Fuehrer.
No special measures for the Navy.
Afterward Naval Chief dines with Fuehrer.

2.) 29 June 2000 hours: Discussion with the Fuehrer about situation in the Invasion-territory

After lenghty individual discussions, in which only the Field Marshalls von Rundstaedt, Rommel, Keitel and General Jodl participated, the Fuehrer before a larger gathering condenses his interpretation in the following train of thought:

page 1: .....
page 2: .....
page 3: .....
page 4: .....
page 5:

3.) 30 June 1200 hours: Naval Chief discusses with Field Marshal Keitel question of Motor-transport-sector in the west .....

4.) 30 June 1300 hours: Participation in discussion of situation with the Fuehrer .....

H0657 - 0050

C 171 -GB 210

5.) 1 July 1300 hours: Participation in discussion of situation with the Fuehrer

a) .....

b) The Fuehrer in connection with the general strike in Copenhagen remarks that terror can only be opposed by terror. Court-martial procedures would only create martyrs. History proves, that the whole world talks about this, whereas no mention is made of the many thousand who lost their lifes on such ocassions without benefit of court-martial procedure.

6.) 1 July 1500 hours: In addition to discussion of situation special conference with Fuehrer about questions concerning armed forces, in which the Naval Chief participates.

7.) 1 July 1700 hours: Participation in State ceremony for General Dietl at Schloss Klessheim....

page 8 : .....

page 9 : .....

8.) 1 July, evening: Return flight to Koralle

signed Doenitz

H0657-0051

cited May 13

Extracts from document C 195, G.B. 211

Naval-War-Command
B. No. 1 Skl. I b 3714/44 GK. Chiefs.

Necessity of employment of additional means for the Navy and merchant shipping.

I. Present situation:

. . . . . .

. . . . . .

Page 8:

Because of present new construction the question of repairs for the naval forces and merchant shipping is gaining decisive importance.

. . . . . .

Pages 10 & 11:

II. Relief measures:

Measures employed up to now for increasing the repair capacity do not suffice. There will be some improvement if more workers are put into repair work at the cost of new construction. That is being done at present. But this is only a momentary solution and cannot be a permanent measure because otherwise new construction would stop entirely within a few months.

In order to improve the labor situation, I believe it is necessary that still outstanding workers for the Hansa Program are quickly supplied to the shipyards. This concerns 8,000 workers promised to the Reich Commissioner for Shipping (RKS) during the report to the Fuehrer at the end of September of this year after a verbal decision who have not yet been supplied by the Commissioner General for Labour (G.B.A.).

H0657-0052

C 195 - CB 211 -

Furthermore. I request reinforcement of the shipyard personnel with concentration camp inmates and, as a special measure, in order to correct the present lack of coppersmiths above all in the U-boat production, detailing of coppersmiths from the reduced locomotive and ship construction.

Page 12:

A question of particular importance is that of sabotage in the Danish and Norwegian shipyards. Up to now severe measures against this pest were not taken for political reasons. While the efficiency of the nordic shipyard workers reaches only 75% of that of the German it becomes completely nonsensical to build ships abroad expending our valuable materials and scant foreign exchange if, as for instance now in Denmark, 7 out of 8 newly constructed ships are sunk through sabotage.

Guard by military and Security Service (SD) sentries has proved insufficient in spite of constant reinforcements; it will be incomplete as long as, for instance, it is not permitted to search workers for explosives when entering the shipyards. Measures against the saboteurs themselves have been initiated by the Security Service (SD).

Should these measures not be successful, I ask to examine if it should not be necessary to change the political line towards Denmark and Norway.

Page 13:

Since at other places where sabotage occured retaliation measures against the entire working crew have proved successful and, for instance, in France shipyard sabotage has been completely suppressed, similar measures are possibly to be considered in the nordic countries. Through employment of the respective group of workers (complete or in part) as concentration camp workers not only their efficiency would increase

H0657-0053

to 100 % but, among other things, through abolition of the former good pay considerable deterring from sabotage would occur because sabotage probably is carried out by activist hostile elements but only with the silent toleration of the workers.

Concern about disadvantages through strikes or escape of the workers is no longer founded if through continuation of sabotage the actual useful effect of these workers is as low as it is now.

. . . . . .

Page 20:

III. Synopsis.

The development of sea transportation and the enemy situation in the coastal zone which has constantly become more threatening during the past months have caused me to discuss the above mentioned problems and their possible solution with all offices involved.

As a result I propose the following immediate measures:

1.) 8,000 workers promised for the Hansa Program will be made available by the Commissioner General for Labor. For 4,000 steps have already been taken, remainder still uncertain.

2.) 12,000 concentration camp prisoners will be employed at the shipyards as additional workers.(Security Service approves)

3.) In order to overcome the coppersmiths bottleneck 50 coppersmiths will be transferred from locomotive production to ship building. (Attempt started by Hauptamtsleiter Sauer)

H0657-0054

C 195 - GB 211 -

4.) The Reich Defense Commissioners will be instructed to give priority to the shipyards with regard to the supply of coal and power and to order labour limitations only after giving notice as early as possible and after discussion with the Armament Minister or Commander in chief of the Navy (Obdl) respectively. (Discussed with Reich Minister Speer.)

5.) Permission be granted to confiscate 3 - 4 cranes and two docks in Denmark urgently needed for the H.A. shipping construction. (Political matter).

6.) Reinforcement of night fighting against mine-laying airplanes in southern Norway and Denmark by 3 night fighter groups. (Airforce agrees, request submitted.)

7.) Reinforcement of daylight pursuit in Norway through transfer of a third daylight fighter group. (Airforce agrees.)

8.) Location of daylight and night fighter forces for the protection of ports and shipyards as soon as permitted by strength of force.

9.) Allotment of 2 cm triple mountings for the Navy for the arming of merchant ships. (OKW affair.)

10.) Allotment of those heavy antiaircraft batteries for which the Airforce lacks personnel to the Navy for the protection of ports and shipyards and increase of the Navy allotment of heavy anti-aircraft guns as soon as circumstances permit.

May I ask for a decision.

signed Doenitz.

Filed May 13, 1946

Doenitz 46

Kiel, 20th March 1946

Present :
Fleet Judge Dr.Schattenberg (Flottenrichter)
(Female) employee Jabs

Before the undersigned judge appears Naval Captain Werner P f e i ffe r.
The significance of an affidavit was pointed out to him.
He stated :

I am making the following statement for submission to the International Military Tribunal in Nuernberg. I have been informed that making a false affidavit is a punishable offence.

I was born on 19 February 1906 in Wilhelmshaven. I joined the Navy on 31st March 1924. From 11th August 1942 until the time of the surrender, I was in the Naval War Command of the High Command of the Navy, as a specialist for the memoranda of the Commander in Chief of the Navy. My department was called 1.Skl/Ib.

I am at present living in Kronshagen, near Kiel, Hasselkamp 89.

Because of his responsibility for the conduct of naval warfare, C-in-C Navy had memoranda written for the Fuehrer, in order, through them, to show the Fuehrer as clearly as possible the most urgent and most necessary measures for the war at sea. In the last year of the war, the extremely critical situation of the war at sea and of sea transportation was the reason that, in these memoranda, problems were dealt with that were not really within the spheres of responsibility or activity of the O.K.M, but, on the other hand, had a decisive influence on the tasks of naval warfare and transportation. These included particularly problems of armament, the supply of material and labour. The memoranda were intended by the C-in-C Navy, as bases for the decisions of the Fuehrer.

The draft of the memorandum, B.No.1 Skl.Ib 3714 top secret S.O.only, was drafted by me, as the competent expert. Before this was done, an important conference took place in the headquarters of C-in-C Navy at which he presided. Besides the competent naval experts, the following persons were present: Generaldirektor Merker, head of the main committee for ship construction of the Ministry for Armaments, Minister Speer or rather his deputy, Hauptamtsleiter Sauer, Gauleiter Kaufmann as Reich Commissar for shipping and an SS-Obergruppenfuehrer called, as far as I can remember, Pauly.

H0657-0056

By reason of the statements by the persons unconnected with the Navy, C-in-C.Navy had, included in the memorandum, certain points, which were important for the problems in question. In these cases he spoke only for those departments not subordinate to him, in order to deal completely with the important questions connected with the individual problem.

Owing to the colossal lack of workers in the last year of the war, obtaining the necessary labour was a particularly pressing problem. The lack of workers was so great that every possible way out had to be examined and followed. The SS-Obergruppenfuehrer, present at the meeting, suggested that the employment of K.Z. inmates had already proved successful in numerous other places and that a large number of such workers were still available for employment. He further stated that these people worked willingly and with good results because they welcomed employment as an improvement of their otherwise inactive existence and received besides better food rations for their employment. As C-in-C Navy had no objection to the suggestion of the SS-Obergruppenfuehrer of using K.Z. inmates as dockyard workers, the proposal to employ 12 000.K.Z inmates as dockyard workers was also included in the memorandum. The O.K.M. did not negotiate directly nor take any measures in connection with the employment of these K.Z. workers. That was the task of the other competent department. None of the representatives of the O.K.M. present at the meeting had any real notion where these men were now to come from, nor where they previously might have been employed. The conditions in the K.Z. camps were, for that matter, not known in the O.K.M. generally, nor to me personally, nor, I presume, to C-in-C Navy personally. The inclusion of the proposal in the memorandum was, after all, nothing but the forwarding to the Fuehrer of the departments suggestion, presented by the SS-Obergruppenfuehrer.

The punitive measures, mentioned on page 13 of the memorandum, which were taken against personnel in dockyards where sabotage occured had their precedence in measures in French dockyards. Here, good results had been obtained by withdrawing certain privileges from the French workers, who mostly did their work willingly, if any sabotage occured at their place of work.

H0657-0057

These collective measures consisted in taking away special privileges, for instance, an additional wholesome nourishing soup.

As in 1944, the sabotage in the Danish dockyards enormously increased and finally became so extensive that the assumption was justified that it was only possible with the unspoken permission of the Danish workers, Generaldirektor Merker suggested at the meeting that corresponding measures be drawn up also for the dockyard workers in Denmark and Norway. So far, the Fuehrer had always turned this down for political reasons. The expression "employed as K.Z. worker" in this connection should also mean that, to prevent further sabotage, the workers in dockyards endangered by sabotage should be "concentrated", i.e. placed together in camps, so that contact with the sabotage agents all over the country should be broken off.

This proposal was also included in the memorandum, as C-in-C Navy had no misgivings about it, particularly owing to the fact that the German workers in Denmark and Norway as "compulsory workers" had also no contact with their families nor any other personal advantages and were also placed together in camps.

It was the Security Service in particular, which was of the opinion that placing workers together in camps and cutting off their contact with private circles and the Danish resistance movement was the only measure for decreasing sabotage effectively.

In including this point in the memorandum, especially at the preceding meeting there was never any intention of establishing new concentration camps, the conditions and circumstances in which, for that matter, were not known in the O.K.M., but the Danish workers should be concentrated only for the prevention of sabotage. Since C-in-C Navy had to leave such a far-reaching decision, toward Danish citizens, as a political measure, to the Fuehrer, he had this point mentioned in the memorandum merely as a suggestion and for that reason did not even propose the entire matter as a measure, according to the concluding paragraph No. 1 to 10.

I assert the truth of the above statement in place of oath.

signed Werner Pfeiffer
completed
signed Dr. Schattenberg
Fleet Judge.

Rejected Doc. 47

Extract from "Aufbau" (Reconstruction) an American weekly published in New York by the New World Club, Inc., 67 West 44th Street, New York, 18 N.Y. Vol.-XII-No. 5., February 1,1946

Group G, 9. Brigade
Jewish Champions of Freedom within the ranks of Belgian Partisans!

r.d. There was in the Belgian underground army a solid Jewish unit, the famous 9. Brigade, of which group "G" was outstanding for its bravery and daring boldness. Their commander was Abraham Domb, who travelled all over the country with false Gestapo-papers and organised his people in Antwerp and Liége, in Ghent and Brussels. The first news of the deeds of the heroes of the 9th Brigade and their group G are reaching us now through publications in Belgian and Dutch papers. Groups together they give the following picture:

Rescuers of Children

Abraham Domb and his people have shot German police-men by the hundreds in Belgium and not the slightest trace of their accomplices could be found. The group made raids on German ordinance-depots, out of which it armed itself. Nor did it stop at ammunition-depots. It brought 3000 small children to safety in convents or with Belgian families in the country. For the financial support of his resistance-troops, Domb procured funds from the Winter-Relief (Winterhilfe) or from the co-ordinated Belgian Red Cross, the cash of which was freely accessible to the Gestapo. One of the best of his daring feats was the following:

About the middle of 1942 five of Domb's men forced their way into the Brussels postal-cheque-office on Rue Ducale. Two men posted themselves with revolver in hand in the hall-way, two others covered the employees. The commander penetrated to the director's office, where the keys were kept. No pardon was granted. The safes were open. The group carried off 16 million Francs which enabled them to carry on their work of rescue for children.

H0657-0058

H0657-0059

Hunt for Traitors.

A Belgian couple, putting forth special efforts to deliver up to the Germans Jews which had gone "underground", soon was to find out, that they could not fool with Domb and his soldiers. The two Jewish partisans Weichmann and Potaschnik one day went as employees of the gas-company to the couple, pretending to make a slight repair. Scarcely had they closed the door behind them, when the world had two scoundrels less.

An other traitor was shot on the football-grounds, but taken still alive by the Germans who transported him to the Etterbeek Hospital. The following day five men of the 9th Brigade occupied the hospital in order to finish the job of the day before.

.....

Thus fought and died the heroes of the 9th Brigade of the Belgian underground-army- a second Jewish Brigade, in no way less famous than the Palestine soldiers of General Benjamin.

Filed May 13, 1946

Doenitz 48

Extract

from

the affidavit of Commander Heinz D a v i d, ret., and Amtsrat a.W. Johannes M a r q u a r d t of 8 March 1946

We, Commander Heinz D a v i d, ret., born 17 Feb. 1899, residing at Minden, Westf., Bachstr. 18

and

Amtsrat A. W. Johannes M a r q u a r d t, born 18 September 1900, residing at Minden, Westf., Hufschmiede 1 state, instead of being sworn, the following assertion to be presented at the International Military Tribunal at Nuremberg.....

We were during the last war reporters at the Navy High Command.....

1. The two camps named "Marlag and Milag Nord", which had one common commander, were under the Navy's own management. It was first located at Sandbostel, later in the Navy's own camp at Westertimke, district of Bremen.....

2. In these camps were put all membersof the enemy's navy and merchant-navy, prisoners of war at Marlag and internees at Milag. The average number of inmates for the years 1942/44 was about 1550 prisoners of war and about 3500 internees.

.....

5. The High Command of the Navy never received any complaints from prisoners of war or internees. Objections from the representative of the protective power and the International Red Cross Committee, which were submitted to the O.K.M. through the Foreign Office, were removed if

H0657-0060

H0657-0061

they were justified and if they could be removed.

No violations of the regulations of the agreement concerning the treatment of the prisoners of war came to our notice.

H0657-0062

Doenitz 48

E x t r a c t

from

Statement of Lieutenant Commander retired W. Rogge

from 4th March 1946.

.....

After having come back from the Balcans in spring 1944, I was camp officer from 19 May 1944 up to the capitulation, and from 15 April 1945 to the end deputy commander in chief of the above mentioned camp, by order.

In the camp Westertimke there were housed at my time about 5500 - 7000, at the end 8000 PWs and internees of different nations, mainly members of the British Navy. The camp had a good reputation as was generally known, it was the best in Germany. This was expressly stated at a congress of British and other prisoners of war physicians of all German camps, which took place in Schwanenwerder near Berlin at the Villa Goebbels.in December 1944. This statement was confirmed by the British Chief Camp-physician in Westertimke Major Dr. H a r v e y British Royal Army whom I am naming as a witness.

The billets were good. All PWs had a bed (Koje), sufficient woolblankets and strawmattresses. The barracks were clean and spacious. The rooms were not overly crowded, 12 men in one room. All rooms could be heated. Fuel was always available, however during the last winter one had to heat mainly by burning wood. No camp-inmate had to suffer from cold.

H0657-0063

Nutrition in the camp can be called good and sufficient. It consisted of the British Red Cross rations and German provisions. Red Cross parcels arrived via Switzerland and at the end via Luebeck at the camp in sufficient quantities. With regard to German provisions all camp-inmates without exception received actually the same rations as the German civilian population. No complaints about nutrition became known. The food that sometimes I had to taste in the kitchens was partly excellent. At the time of the capitulation 20 to 30 000 Red Cross parcels were still in stock.

The treatment of the PWs and internees was good. Nobody was forced to work. Single internees worked voluntarily with peasants, where, as I know, they were partly very well taken care of. Rollcalls for the purpose of counting were made according to weather conditions 2 to 3 times frequently only once per diem. The rollcalls were quickly gone through. The older officers, the Canadian Officers and the regularly working camp employees were allowed to go for walks once a week. Complaints and demands of all campinmates were settled correctly and as quickly as possible.

Occupation. The PWs and internees were sufficiently occupied. There was a theater in each of the 4 subcamps. The equipment of the theaters was very good. Costumes were regularly loaned from the "Bremer Theater". There was a sufficient number of instruments. Films were shown up to the last period, also English and American ones.

The campinmates had the possibility of engaging in all kinds of sports on large fields inside camps. Sporting utensils of all kind were available.

H0657-0064

In winter it was possible to skate on 3 skating rinks. Libraries containing many good books, churches for all religions, workshops, rooms for entertainment and schooling were at the disposal of all in sufficient quantity. The inmates were very satisfied, and many told me so.

Several wellequipped dispensaries were available. One of them was a large one in which operations for appendicitis etc. were performed as a matter of routine by British physicians. Also the existing dental clinics were good. As a witness for the above I call Dr. Mac Lean, Brit.Royal Navy.

Deaths. There were few. As far as I know there were about 30 graves at the camp churchyard. These deaths were caused by the usual serious illnesses, T.B.,nephritis, a.s.f. A short time before the capitulation 6 deaths were caused by British fighter planes (Jabos). The burials took place with the appropriate dignity. Each dead without exception was buried in a coffin and got a wreath. A British clergyman or priest spoke in the chapel in which friends of the deceased had gathered. The burial ground was well kept and in good order.

.....

As I was Deputy Commander I stayed at the camp up to the capitulation and gave up the camp in the regular way to British troops, which were very satisfied with the transfer. Squadron-Leader A.J. E v a n s gave me a letter confirming the latter. I enclose a photostat of this letter.

.....

H0657-0065

Doenitz 48

From : Squadron Leader A.J. EVANS, M.C.
O.C.,I.S. 9 (WEA) / 4
C/o I.S. 9 (WEA) HQ.
21 L. of C. Sub-Area, B.L.A.

Date : 1st May 1945.

TO : Whom it may Concern:

Korvettenkapitän W. ROGGE was for ten month Chief Lager Officer at the Marlag Camp at Westertimke.

Without exception all the prisoners of war in that camp have reported that he treated them with fairness and consideration.

Previously he had been Harbour Commander at Leghorn in Italy.

In the last war he commanded a destroyer and was for fourteen months a prisoner of war in England.

He speaks English well and is the sort of man who might be most useful to the authorities controlling Germany.

Signature
Squadron Leader. Officer
Commanding Intelligence School
No. 9 (WEA)

48

A u s z u g

aus

eidesstattlicher Versicherung des Korvettenkapitaens a.D.

Friedrich Wilhelm Ostermann vom 6. Maerz 1946

From July 1st 1941 until the end of the war I was Interrogation Officer at Dulag Nord; till March 22nd 1943 we were at Wilhelmshaven, and having been bombed out there, we went to Westertimke near Bremen. It was the task of Dulag Nord to interrogate British and American Officers and Men belonging to their respective Navies and Mercantile Service, who had become prisoners of war. No other authority had the permission to interrogate such prisoners of war.

At Westertimke a railed in site was provided, inside the rails and barbed wire were wooden huts partly divided up into small single rooms, partly large common rooms to take up to 20 or more men. All the rooms at W-haven and later at Westertimke were fitted with the usual military bedsteads with strawmattress and pillow and woolen blankets. No prisoner of war ever had to sleep on the ground. In order to eliminate colesion between the men, they were kept apart from each other until after the interrogation. This being connected with some difficulty in the sall wooden huts at Westertimke, a stone building with 32 cells was erected, and new arrivals were taken there and kept there for the few days of interrogation. As soon as this was terminated they were taken to the wooden huts, where they could play football and move about freely amongst themselves. Their food was the same as that of our own Watch Company with the only difference that their helpings were slightly smaller than those of our men. There were some complaints about that now and then, but mostly these complaints were about the food being less solid than that they were accustomed to, the food being cooked together as is our habit. a complaint similar to that we had to make when in England the food being too dry and solid for us, so that most of us suffered from constipation. As soon as it could be arranged that the men received Red Cross Parcels from the day of their arrival, the complaints ceased and the food of the P.o.W.'s was better than that of our own men. The tone in camp was a good one, there was no refractoriness and I can only remember one case when I had to send a man back to his room for impudent behaviour with orders not to give him any books or cigarettes for 3 days.

H0657-0066

H0657-0067

Doenitz 49

Although, as the result of the German retreats and the air war, a great part of the documents did not reach the archives anymore, it still comprised 90000 files from the last war, Amongst them were 1500 - 2000 files, the contents of which refers to natives of the occupied territories who had suffered damage. Therefore, the basic attitude of the German Navy War Courts against such misdeeds can be readily reexamined today.

Single cases, which are no exceptions but which form an average of jurisdiction have been combined in the appendix.

I assure that my statements, inclusive the appendix are true and have been made in lieu of an oath to be submitted to the International Military Tribunal at Nuernberg.

Hamburg, 13 April 1946

Fritz J a c k e l
former Fleet Judge
born 17 October 1902 in
Berlin,
residing at Grossensee
Hamburg Land

Extract from Enclosure to Doenitz 49

Country: France

Serial No.	Name and Service Rank	Court	Offence	Sentence	Date	Reasons for penalty	Remarks
			Burgleries.				
6	a) Dietz marine artillery; petty officer 3rd class b) Kilfitt marine artillery c) Becker marine artillery	Naval Commander Channel Coast Cherbourg	Kilfit and Becker entered by force French households, stealing linen and blankets for their billets. Some of the articles they sent home. Dietz, their superior, permitted this offence; 20 to 30 similar thefts; finally, assault on French women, knocking her down with violent blows.	a) to c) capital punishment	26 January 1943	In view of the seriousness of the crime committed, nothing but capital punishment can be considered.	Confirmed. Capital punishment executed; decree against nationally undesirable elements applied.
12	a) Schwark seaman 1st class b) Stuckenschneider seaman 1st class	Commander of Security Detachment West Bordeaux	1) Joint raping of an unidentified woman, while drunk, in Nantes. 2) Assault on a Frenchman, after hard drinking with him before. 3) Jointly committed rape of a French woman after knocking her unconscious, as well as robbing her. The victim died as a result of the offence.	Capital punishment in the case of both offenders.	6 November 1943	Vulgar, brutal crime for which capital punishment alone can be applied. Very serious injury to the good name of the German Wehrmacht.	Confirmed. Capital punishment executed by means of hanging.
22	a) Denz seaman 1st class b) Rudzinski Corporal	Commander of Security Detachment West Royan	Serious case of robbery, theft, insubordination. When landing at Royan, the offenders got drunk in several beer-houses and robbed the aged French cashier in the moving picture theater "Trianon" of the day's returns, 700 francs. While doing this, they manhandled the cashier and threatened him with a pocket-pistol; No serious injuries.	a) 6 years 6 months imprisonment. Unworthiness to bear arms. b) 5 years imprisonment.	9 November 1943	In the case of Denz no consideration of extenuating circumstances permitted, because of the seriousness of the offence.	Confirmed.

H0657-0068

Serial No.	Name and Service Rank	Court	Offence	Sentence	Date	Reasons for stipulation of penalty	Remarks
28	a) Kohlen seaman 1st class b) Koch able seaman	Naval Commander Western France, Royan	After a heavy drinking spree through numerous beer-houses in Bordeaux' harbor section, the offenders, on 6 June 1942, forced the owner of the place and the barmaid in the last bar to surrender the day's receipts, and a bottle of "eau de vie", threatening them with a pistol. Offender heavily intoxicated.	4 years' imprisonment	12 November 1942	Severe punishment necessary to discourage perpetrators and soldiers "who must know that even in occupied territory the life and property of other people is being fully protected."	Confirmed. Commander of 4th outpost fleet had entire crew of all boats step up for roll call. Passing along the row, French bar owner detected offender. Former sentence calling for 2 years 6 months imprisonment cancelled because considered too mild.
38	a) Adels, communications petty-officer. b) Greil, chief petty-officer	Admiral of French South coast, Nice.	The offenders permitted themselves to be talked into participation in raids against French Jews in Nice, by French criminals. The Frenchmen posed as German Gestapo agents while Adels and Greil, because they were in uniform and wearing pistols, intimidated the Jews. They obtained paper money and gold, also jewelry in lieu of gold. When engaged in their fourth raiding tour, French police and German military police arrested them.	Capital punishment, for Adels; 12 years prison for Greil; loss of worthyness to bear arms	11 April 1944	"The fact that the deeds were directed against Jews in no way excuses the offenders". Considerable discredit to Germany's dignity.	Confirmed by chief of court. By way of mercy, sentence commuted for Adels into 8 years, for Greil into 6 years imprisonment. Both offenders had no previous criminal record.

H0657-0069

Country: Holland

Present No.	Name Military Rank	Court of Justice	Offence	Verdict	Date	Reason for award of punishment	Remarks
9	Mueller Seaman 1st class	Court of Admiralty Netherlands, Amsterdam	Sex crimes: Mueller committed obscene acts with 4 Dutch children between 9 and 12 years of age. He seized the girls under their knickers and touched their outer private parts with his own.	4 years penal servitude, unworthy to bear arms.	17 June 1943	Serious mental harm to the children. They must be protected from such indecent assaults.	Confirmed. Inquiries made with the help of the Dutch police.

Country: Belgium

7	a) Moritz Strm. Mt. b) Wiese Petty officer c) Graebner corporal d) Geffers corporal	Court of Admiralty Naval Command Posts Antwerp	Looting. As a patrol against black-out offenders and sabotage acts, Moritz constantly extorted money and victuals from the country people and divided the booty with his accomplices. Wiese participated to a lesser degree.	a) 3 years penal servitude. Unworthy to bear arms. b) 2 years imprisonment c) 1 year and 9 months imprisonment d) 2 years imprisonment	9 June 1944	Moritz pitilessly stripped poor country people; he is dishonorably discharged from the Wehrmacht.	Confirmed

H0657-0070

Country: Russia

Present No.	Name Military Rank	Court of Justice	Offence	Verdict	Date	Reason for award of punishment	Remarks
3	Niehaus seaman 1st class	Court of Admiralty Ostland, Libau	Robbery and other offences. As superintendent of a hospital for Russian prisoners of war in Libau, Niehaus stole linen and other equipment in large quantities from the hospital and sent it home. He compelled Russian prisoners of war to let him have personal objects. Finally he had the gold teeth of a dead Russian taken out and kept them for himself.	Death penalty and 4 years and 6 months penal servitude.	30 March 1943	The defendant has been acting in the worst manner as a nationally undesirable element. The robbing of a Russian corpse shows a low way of thinking.	Verdict confirmed and carried out.

Country: Greece

2	a) Mangold seaman 2nd class b) Doerfuss seaman 2nd class	Court of Admiralty Aegean.	Rape, etc. The defendants, being very drunk, violated a 16 year old Greek girl in turn and hit her mother when she wished to come to her daughter's aid.	a) 6 years penal servitude; unworthy to bear arms. b) death penalty	23 Sept. 1943	The act shows an unprecedented brutality and barbarism, so that only the death penalty can be passed on the already previously convicted Doerfuss. The defendants terrorized the local inhabitants of the Greek villages.	Confirmed and carried out by the President of the court of justice. Mangold and Doerfuss being previously sentenced respectively to 2 years imprisonment and 2 years penal servitude, these verdicts were quashed by the Commander of Army Group H.Q. South on the ground that they were too light.

H06857-0071

Filed May 13, 1946

H0657-0072

Doenitz 50

Extract

from

The War Diary of the Naval-War Command, Part A, 1940
(KTB Skl Part A 1 June - 30 June 1940)

P 175
17 June 1940

Announcement of the Fuehrer and Commander in Chief to the 3 branches of the Wehrmacht: "The newly formed French Government through the mediation of Spain has notified the German Government that it had the intention to cease hostilities and asked for notification of peace terms.

P 177
17 June 1940

1400 o'clock: Order of the Commander in Chief of the French Navy, Admiral Darlan to all French Men of War and all shore stations: I order to continue all war operations with the utmost energy at sea and in the air until further orders, signed by me, will be issued.

P 187
18 June 1940

With regard to continuation of the fight the Navy Ministry in Bordeaux issues the following instructions to subordinate authorities in Lorient: "I refer to the instructions of the Chief of the General Staff, transmitted yesterday, 17 June, 1400 o'clock. Regardless of all other instructions the Navy must resist energetically to the utmost, the same as the army which received pertaining orders from the Marshal. I expect no other conduct."

P 197
19 June 1940

Renewed reference by official French sources that no armistic came into force and that the arms had not yet been laid down. Negotiations have not yet been concluded, therefore everybody's duty to resist to the utmost.

H0657-0073

Doenitz 50

Extract

from

War diary of the Naval-War-Command, Part A 1940

(KTB Skl Part A 1940)

1 July 1940 England. In a radio speech Chamberlain took a stand against recent rumors about differences of opinion in the English cabinet which had originated in the German propaganda. - Characteristic is the following statement: "If the Germans should succeed in obtaining a foothold on several points on the English coast, and in breaking through, we will fight the enemy on every street and in every house until he or we are completely annihilated."

15 July 1940 Churchill speech of 14 July, see foreign press.

.....

England will not ask for any peace terms and will not tolerate any negotiations. The people will not surrender without fighting by submitting such as we have recently seen happen in other countries. We will defend every village, every town and street after street in the whole of London. First Lord of the Admiralty, Alexander expressed himself along the same lines in the House of Lords.

H0657-0074

Rejected

Doenitz 51

Extract from "Voelkischer Beobachter"

67 Edition, Munich, 20 March 1945

64,000 removed from Kolberg

(From our Naval Correspondent)

Berlin, 19 March

Several reports during the last few days have given emphatic evidence of the performance of the Navy in the great battle for the German East. It was reported, that it was possible to remove 590 000 fellow-countrymen from East and West Prussia on Naval and merchant-marine ships. Now comes the news that from the Pomeranian port-city of Kolberg alone, 60 000 women and children were evacuated by way of the sea, and 4000 more women and children by planes of the air-force. In spite of all the difficulties, it was thus possible to bring to safety all the women and children, who - due to the advance of the Bolshevists - were crowded together in and near Kolberg. This evacuation, in which naval and merchant-marine craft of every type, from U-boat chasers and combat-ferries to sailing-yachts and fishing-cutters took part was only possible under the protective fire from our naval force, especially from the destroyers, which aided the brave defenders of Kolberg.

.....

H0657-0075

complaints were about the food being less solid than that they were accustomed to, the good being cooked together as is our habit, a complaint similar to that we had to make when in England the food being too dry and solid for us, so that most of us suffered from constipation. As soon as it could be arranged that the men received Red Gross Parcels from the day of their arrival, the complaints ceased and the food of the P.o.W.'s was better than that of our own men. The tone in camp was a good one, there was no refractoriness and I can only remember one case when I had to send a man back to his room for impudent behaviour with orders not to give him any books or cigarettes for 3 days. I was present when hundreds of men had an opportunity to send greetings home by radio, there was not a single one who did not say their housing, food and treatment was good and that people at home need not worry about them on that account. The state of health was excellent. Sick and men who were admitted wounded were immediately put in the doctor's care and if necessary to hospital and not released until completely cured. No means of pressure were employed at Dulag Nord. If a man told falshoods he was sent back to his room and not interrogated for 2 or 3 days. I believe I can say that no blow was ever struck at Dulag Nord.

Without exception the self-sacrifice of the German sailors was praised which they employed in saving men who saw their ship sinking.

.....

These examples of the spirit ruling in the German Navy were given with frank admiration by men of the British Service.

H0657-0076

Rejected

Doenitz 49

Affidavit

On the basis of the documents of the navy court archives at Riseby near Eckernfoerde, I have investigated the jurisprudence of the Navy War Courts for the protection of natives of occupied territories against encroachment by soldiers. The result is as follows:

The encroachments of German soldiers or followers against inhabitants of occupied territory, which have been brought to the attention of the Navy War Courts, have been punished with at least the same severity as similar misdeeds perpetrated against Germans. The greater part of the verdicts has even to be called extraordinary harsh. This harshness which exceeds the average punishment, has repeatedly been based by the courts upon the fact that the prestige of the German Navy has been damaged abroad, and the good understanding between the occupation troops and the population has been disturbed.

Most of the verdicts were based upon the statements of natives whose testimony was believed as being objective and without prejudice. The native police often was loyal and was treated as loyal helper of the German Navy War Courts in fighting the encroachments of single German members of the navy. The perpetrator was caught in about 60 - 70% of the cases as a result of this good cooperation.

For lack of time my investigations took into account first of all the year 1943. I was helped by the head of the archives, Mr. Lehmkuhl. However, special cases were chosen from other years.

H0657-0077

Rejected

Doenitz 52

EXTRACT
from
"The Lutheran"

Published by the Protestant-Lutheran Synode
of Missouri, Ohio and other States.

Edited by the board of teachers of the theological
Seminary in St. Louis by a committee

Published biweekly by Concordia Publishing House, St. Louis 18

102.year St. Louis, Mo., 5 February 1946 No. 3

.....

Relief for the needy

1. What we saw in Berlin.

Under the roof of the Stettiner railway station at Berlin, seriously damaged by bombs stood a row of about 20 cattle-vans. Approaching them one could see in one of them 4 corpses partly covered with straw. In another corner 4 women were dying. One of these was supplicating for water in a hoarse voice. Next to her was lying on the cold and hard floor a man also close to death; he was emaciated by privations, his eyes staring upward. Going further, a group of men approached me; hunger and misery looked out of their eyes. These poor people too had nothing better to expect then death.

These unfortunate people form only a small fraction of the 16.000.000 refugees, moving West slowly and laboriously. They were chased from their domiciles after 24 hours or even one half hour of preparation. It is cold. Hunger torments them hundreds of thousands are dying.

According to reliable statements of higher authorities in some districts "no child born during the year 1945 is still alive". "One expects, that in East Germany all two year old children are condemned to die and that no human being below 10 or above 60 years of age has hopes to live to see the coming summer, if large scale help does not come forth soon

.....

J.W. Behnken
President of the Synode

H0657-0078

We, Dr. H.v.V. VEITH, AGO No. D 150649 and H.J. HARRISON, Br.Exp.F.Permit No. 110609 hereby certify that we are thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No.

3 May 1946

Dr. H.v.V. VEITH,
AGO No.D 150649

H.J. HARRISON
Br.Exp.F.Permit No.110609